

Application Serial No. 10/802,555
Response dated March 16, 2007
Reply to Office Action mailed December 18, 2006

IN THE CLAIMS

1-4. Cancelled

5. (Currently Amended) A medical system for joining an upper esophageal sac and a lower esophageal sac in an infant, the medical device comprising:

a first elongate member comprising an operative end, a distal end and an upper magnet having a constant magnetic force connected to the distal end, the upper magnet comprising an end portion having one of a protruding surface or a recessed surface and the upper magnet further having an upper magnet passageway therethrough and being configured to abut an interior surface of the upper esophageal sac; and

a second elongate member comprising an operative end, a distal end, and a lower magnet connected to the distal end, the lower magnet comprising an end portion having the other of a protruding surface or a recessed surface and the lower magnet further having a lower magnet passageway and being configured to abut an interior surface of the lower esophageal sac;

wherein the upper magnet and the lower magnet are configured to mate so as to approximate the upper esophageal sac and the lower esophageal sac, and further wherein the upper and lower magnet passageways operably connect to form a substantially continuous passageway between the upper magnet and the lower magnet when the upper and lower esophageal sacs are joined.

6. Cancelled.

7. (Original) The medical system of claim 6, wherein the upper magnet is bullet-shaped and the lower magnet comprises a bullet-shaped recess.

8. (Original) The medical system of claim 6, wherein the upper magnet comprises a bullet-shaped recess and the lower magnet is bullet-shaped.

9. (Previously Presented) The medical system of claim 5, further comprising:
a guide wire; and

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a passageway extending axially through the first elongate member, the passageway being adapted to receive the guide wire.

10. (Original) The medical system of claim 5, wherein the first elongate member further comprises:

a passageway extending axially through the first elongate member; and
a flexible elongate member extending axially through the interior of the passageway, the flexible elongate member being operatively connected to the upper magnet.

11. (Original) The medical system of claim 5, wherein the second elongate member further comprises:

a passageway extending axially through the second elongate member;
and

a flexible elongate member extending axially through the passageway, the flexible elongate member being operatively connected to the lower magnet.

12. (Original) The medical system of claim 11, further comprising a hub operatively connected to the operative end of the second elongate member; and a valve operatively connected to the hub.

13. (Previously Presented) The medical system of claim 5, wherein the second elongate member further comprises:

a balloon; and
a passageway extending axially through the elongate member, the passageway having a distal end and an operative end, the distal end of the passageway being connected to the balloon; and
a balloon operation hub operatively connected to the operative end of the passageway.

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14. (Original) The medical system of claim 11, wherein the second elongate member further comprises:

a balloon; and

a second passageway extending axially through the second elongate member, the second passageway having a distal end and an operative end, the distal end of the second passageway being connected to the balloon; and

a balloon operation hub operatively connected to the operative end of the second passageway.

15. (Previously Presented) The medical device of claim 5, wherein the second elongate member further comprises:

a plurality of ports;

a passageway extending axially through the second elongate member, the passageway having a distal end and an operative end, the distal end of the passageway being configured to communicate with the plurality of ports; and

a gastrostomy hub operatively connected to the operative end of the passageway.

16. (Original) The medical device of claim 14, wherein the second elongate member further comprises:

a plurality of ports;

a third passageway extending axially through the second elongate member, the third passageway having a distal end and an operative end, the distal end of the third passageway being configured to communicate with the plurality of ports; and

a gastrostomy hub operatively connected to the operative end of the third passageway.

17. (Original) The medical system of claim 5, further comprising a band and a flared distal portion, wherein the upper magnet is secured to the distal end of the first elongate member by the band and the flared distal portion.

18. (Currently Amended) A medical system for joining an upper esophageal sac and a lower esophageal sac, the medical system comprising:

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an esophageal catheter comprising:

an operative end, a distal end, and an upper magnet, the upper magnet having a constant magnetic force and being configured to abut an interior surface of the upper esophageal sac; and

~~a passageway extending axially through the esophageal catheter;~~
~~and an elongate member extending axially through the~~
~~passageway, the flexible elongate member being operatively connected to the~~
~~upper magnet; and~~

a gastric catheter comprising:

an operative end, a distal end, and a lower magnet, the lower magnet being configured to abut an interior surface of the lower esophageal sac, wherein the upper magnet is configured to constantly attract the lower magnet;

a passageway extending axially through the gastric catheter, the passageway having an operative end;

~~an elongate member extending axially through the passageway,~~
~~the elongate member being operatively connected to the lower magnet;~~

a hub operatively connected to the operative end of the passageway; a balloon; a second passageway extending axially through the gastric catheter, the second passageway having a distal end and an operative end, the distal end of the passageway being connected to the balloon;

a balloon operation hub operatively connected to the operative end of the second passageway; a plurality of ports;

a third passageway extending axially through the gastric catheter, the third passageway having a distal end and an operative end, the distal end of the third passageway being configured to communicate with the plurality of ports; and

a hub operatively connected to the operative end of the third passageway,

wherein the upper and lower magnets are configured to mate so that the esophageal catheter passageway is operably connectable to the gastric catheter passageway to create a substantially continuous passageway therethrough when the upper and lower esophageal sacs are joined.